



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
**RESPONSE TO OFFICE COMMUNICATION**

Re:

Serial no.: 10/672,749  
Filing date: 09/27/2003  
Confirmation no.: 1036  
Title: Polygonatum Plant Named 'Kelli's Gold'  
Inventor: Theodore Lynn Stephenson  
Group Art Unit: 1661  
Examiner: Kent L. Bell

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA. 20231-1450

**TRANSMITTAL LETTER**

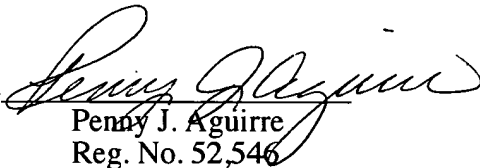
The Following documents related to this application are enclosed:

1. Response to Office Communication 04/20/04 (2 Pages)
2. Marked up copy of Original Specification (8 Pages)
3. Postcard

Date: 4/23/2004

Penny J. Aguirre  
Biological Patent Services, LLC  
14015 42<sup>nd</sup> Ave N  
Plymouth, MN 55446-3828  
Reg. No. 52,546  
Phone: 763-553-9081, Fax: 763-553-9051

Signature

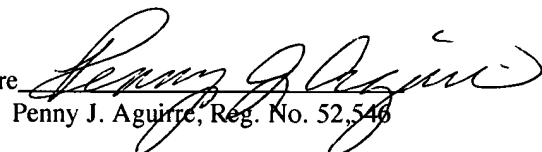
  
Penny J. Aguirre  
Reg. No. 52,546

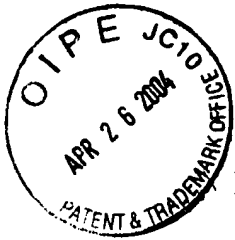
**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendments, Commissioner for Patents, PO Box 1450, Alexandria, VA 20231-1450

On 04/23/2004  
Date

Signature

  
Penny J. Aguirre, Reg. No. 52,546



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
RESPONSE TO OFFICE COMMUNICATION AND OFFICE ACTION

Serial no.: 10/672,749  
Filing date: 09/27/2003  
Confirmation no.: 1036  
Title: Polygonatum Plant Named 'Kelli's Gold'  
Inventor: Theodore Lynn Stephenson  
Group Art Unit: 1661  
Examiner: Kent L. Bell

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA. 20231-1450

**RESPONSE**

Dear Kent Bell:

This is the Applicant's response to the Office communication dated 04/23/2004. The examiner stated that the marked-up copy of the substitute application was not filed with the reply on January 20, 2004. A marked up copy of the substitute application is included with this response. The Applicant believes that the reply to the Office Action is now fully responsive. The examiner is encouraged to contact the Applicant's Agent for any additional information that can be provided to move the application towards allowance.

Respectfully submitted,

Penny J. Aguirre  
Registration No. 52,546  
Agent for applicant

Biological Patent Services, LLC  
14015 42<sup>nd</sup> Ave. N.  
Plymouth, MN 55446  
Phone: 763-553-9081  
Fax: 763-553-9051  
Email: pennyag@earthlink.net